

Application Number 09/881,868  
Response to final Office Action mailed February 2, 2006

### REMARKS

This paper is responsive to the Final Office Action dated February 2, 2006. Applicants have not amended any of the claims. Claims 34-53 remain pending.

The final Office Action rejected claims 34, 36-38, 40-48 and 50-53 under 35 U.S.C. 102(e) as being anticipated by Cassidy et al. (US 6,480,725). In addition, the final Office Action rejected claims 35, 39 and 49 under 35 U.S.C. 103(a) as being unpatentable over Cassidy et al. in view of Tushie et al. (US 6,014,748).

Applicants respectfully traverse the rejections. The newly cited Cassidy reference fails to disclose several features of the independent claims, and none of the applied references provide any teaching that would have suggested such features of the claimed invention. The Examiner has clearly misinterpreted Cassidy et al. relative to the features of Applicants' claims.

The current claims are directed to a subscriber identify module (SIM) (claims 34-37), a wireless communication device (WCD) (claims 38-77) and a computer readable medium (independent claim 48-53). All pending claims generally concern a security authorization process for gaining access to a SIM in a WCD, which is particularly applicable when the WCD implements a power management routine in which the SIM is powered down and then powered back up.

Contrary to the analysis set forth in the final Office Action, Cassidy et al. fails to disclose the features required by Applicants' claims. As one very clear example, Cassidy et al. does not disclose or suggest any technique in which a unique identifier entered by a user in response to an initial power up is stored and then applied at a subsequent power up, following a power down of the SIM as part of a power management routine of the WCD, without needing the user to re-enter the unique identifier.

Applicants' claimed invention recognizes that user convenience can be promoted by storing and reusing the unique identification code entered by the user in the security authorization process of the initial power up. In particular, in accordance with the claimed invention, the unique identifier entered by the user in response to a security authorization process at an initial power up is stored, and then automatically used again in a subsequent security authorization following a power down of the SIM by a power management routine.

Cassidy et al. merely describes techniques in which a user must enter an ID code in order to gain access to a SIM. Nothing in Cassidy et al. suggests that the ID code entered by a user in

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response to an initial power up is stored and then later applied at a subsequent power up, following a power down of the SIM as part of a power management routine of the WCD, without needing the user to re-enter unique identifier. Any such teaching is simply lacking from Cassidy et al. The final Office Action seems to have misinterpreted this reference relative to these features of Applicants' claims, insofar as the Office Action indicates that Cassidy et al. suggests such features.

Claim 34 recites a SIM adapted for and powered by a WCD, the WCD including a power management routine and a memory. The SIM comprises means for storing a first unique identifier, and means for receiving a second unique identifier from the WCD at an initial power up of the WCD, the second unique identifier being entered by a user of the WCD. The SIM also comprises means for accessing the first unique identifier at the initial power up of the WCD to compare the first unique identifier to the second unique identifier and to permit access to the SIM by the WCD based on the comparison, and means for automatically receiving the second unique identifier at a subsequent power up of the SIM without the user re-entering the second unique identifier following the SIM having been powered down under control of a power management routine performed by the WCD. In addition, the SIM of claim 34 comprises means for comparing the second unique identifier automatically received from the WCD to the first unique identifier following the subsequent power up, and means for enabling access of the SIM by the WCD based on the comparison following the subsequent power up.

Claim 38 recites a WCD including a power management routine and a memory. The WCD is adapted for use with a SIM, wherein the SIM stores a first unique identifier. The WCD comprises means for storing in the memory a second unique identifier generated in response to a user performing an initial power up of the WCD, wherein the second unique identifier is compared to the first unique identifier stored in the SIM to permit access to the SIM by the WCD following the initial power up, and means, responsive to the power management routine, for powering down the SIM following the initial power up. The WCD of claim 38 also includes means responsive to the power management routine for powering up the SIM following the powering down, means for automatically transmitting the second unique identifier to the SIM without the user re-entering the second unique identifier following the powering up by the means responsive to the power management routine, and means for detecting access to the SIM in

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response to the SIM matching the second unique identifier automatically transmitted from the WCD to the first unique identifier stored in the SIM.

Claim 48 recites a computer-readable medium comprising instructions, including a power management routine, stored thereon for causing a WCD including a memory and adapted for use with a SIM that stores a first unique identifier to store in the memory a second unique identifier generated in response to a user performing an initial power up of the WCD, wherein the second unique identifier is compared to the first unique identifier stored in the SIM to permit access to the SIM by the WCD following the initial power up. The instructions also cause the WCD to power down the SIM in response to the power management routine following the initial power up, power up the SIM in response to the power management routine following the power down, automatically transmit the second unique identifier to the SIM without the user re-entering the second unique identifier following the power up in response to the power management routine, and detect access to the SIM in response to the SIM matching the second unique identifier automatically transmitted from the WCD to the first unique identifier stored in the SIM.

The Office Action cited the Cassidy et al. as disclosing all of the features recited in the independent claims. Specifically, the Office Action cited a passage of Cassidy et al. at column 7, line 28 to column 8, line 3, as disclosing all of the features recited in the independent claims. The entire passage of Cassidy et al. at column 7, line 28 to column 8, line 3 is set forth below:

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FIG. 6 shows the information provided to the user on the display 9 when there is a change detected and no SIM card is present. Again, in this case, manual selection is provided. The user is prompted to insert the SIM card (step 601). Alternatively, he is given the option of selecting to use the information stored in the EEPROM 6. In the event that the user selects to use the internal ID, then the security code checking procedure described above in respect of FIG. 3a is performed (steps 606 to 608). However, if the internal ID information is not selected then the microprocessor 4 checks whether a SIM card has been inserted (step 605). If no SIM card is inserted the display continues to bear the insert SIM message (step 601). However, if a SIM card is inserted, the PIN checking procedure described above in respect of FIG. 2a is performed (steps 602 to 604).

In a preferred embodiment, whenever a change in contact between the memory module and the memory module receiver 10 is detected, the phone is power cycled (i.e. turned off and on). This ensures that the phone is completely reset to operate efficiently using the other form of information. Power cycling can be automatic. For example, if a SIM card falls out of the receiver when the phone is dropped, the phone could be powered off and on in response to the reinsertion of the SIM card to ensure that the SIM information is quickly and efficiently used. Alternatively, the telephone may lead the user to manually power cycle the telephone when a change in contact is detected. For example, in the embodiment shown in FIG. 6, after the SIM is inserted (after step 605) only the power key on the keypad 9 is capable of being operated, thus forcing the user to manually power cycle the telephone after inserting the SIM. Likewise, if the user selects the ID information in step 601, then subsequently only the power key can be activated, in order to force the user to power cycle the telephone. In each case, once the telephone has been power cycled, the next steps may be performed.

Additionally, it is preferable if the SIM card receiver 10 is only accessible by removing the handset battery. In this way, the telephone will be powered down and up whenever

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the SIM card is inserted or removed from the receiver by the user, thus ensuring efficient selection between the two information stores.

Nothing in this cited passage of Cassidy et al. discloses or suggests techniques in which a unique identifier entered by a user in response to an initial power up is stored and then applied at a subsequent power up, following a power down of the SIM as part of a power management routine of the WCD, without needing the user to re-enter the unique identifier. The passage above does not even describe a power management routine, much less a technique in which a unique identifier entered by a user in response to an initial power up is stored and then applied at

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a subsequent power up, following a power down of the SIM as part of a power management routine of the WCD, without needing the user to re-enter unique identifier.

While Cassidy et al. discusses a "power cycle," it is clear from the description that this "power cycle" in Cassidy et al. refers to a power down of the WCD, and not a power management routine in which power is disabled and then re-supplied to the SIM. Moreover, while the "power cycle" in Cassidy et al. may remove power from the SIM, it is clearly not referring to a power management routine, as required by Applicants' claims. To be sure, Cassidy et al. specifically indicates that the described power cycle ensures a complete reset of the phone. See column 7, lines 47-48 (reproduced above). Cassidy et al. simply mandates a power down and power up (referred to as a power cycle) to ensure that the SIM can be properly accessed when the SIM is initially inserted or re-inserted after the WCD is dropped.

Furthermore, even if the power cycle of Cassidy et al. (i.e., powering down and powering up of the phone) could be reasonably construed as a power management routine (which Applicants dispute), the Cassidy reference still does not disclose or suggest a technique in which a unique identifier entered by a user in response to an initial power up is stored and then applied at a subsequent power up, following a power down of the SIM as part of a power management routine of the WCD, without needing the user to re-enter the unique identifier. To be sure, in Cassidy et al., the user always needs to manually enter a security PIN following the power cycle.

The cited passage of Cassidy et al. specifically indicates that when a SIM card is inserted, the PIN checking procedure of FIG. 2A is performed. See column 7, lines 41-43 (reproduced above). FIG. 2A of Cassidy et al. is a very simple flow diagram showing that a user must enter a correct security PIN in order to gain access to the SIM. In this case, following a power cycle as a result of SIM insertion, Cassidy et al. specifically outlines a process for manual security PIN entry. Accordingly, Cassidy et al. fails to suggest the application of a stored identifier at a subsequent power up, following a power down of the SIM as part of a power management routine of the WCD, without needing the user to re-enter the unique identifier.

Also, later in the cited passage, Cassidy et al. indicates that "in each case [of a power cycle in which the phone is powered off and on], the next steps are then performed." Clearly, these "next steps" include the security PIN checking procedure. Thus, in Cassidy et al., the user always needs to re-enter a security PIN following the power cycle. Nothing in Cassidy et al. suggests otherwise. Cassidy et al. simply lacks any teaching, whatsoever, of a technique in

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which a unique identifier entered by a user in response to an initial power up is stored and then applied at a subsequent power up, following a power down of the SIM as part of a power management routine of the WCD, without needing the user to re-enter a unique identifier.

It appears that Cassidy et al. actually describes the antithesis of Applicants' claimed invention insofar as Cassidy et al. specifically indicates that "in each case the next steps are then performed," which implies that a user always needs to re-enter a security PIN following the power cycle. At best, Cassidy et al. is silent as to the requirements of Applicants' claims that recite the automatic application in a subsequent security authorization of a unique identifier that was generated in response to a user performing an initial power up of the WCD.

The Tushie reference also lacks any teaching that would remedy the basic deficiencies of Cassidy et al. addressed above. In view of the foregoing observations regarding the independent claims and the clear deficiencies in the rejections advanced in the Office Action, Applicants reserve further comment at this time. However, to the extent any claim limitations or alleged prior art teachings have not been addressed herein, Applicants do not acquiesce in the propriety of any characterization or position advanced in the Office Action with respect to such limitations or teachings. Rather, Applicants reserve further comment in light of the clear distinction of the claimed invention from the applied prior art, as discussed in the foregoing remarks.

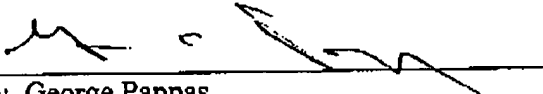
All claims in this application are in condition for allowance. Applicants respectfully request reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 517-0026. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

4-6-06

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